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Letter dated 31 March 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the comments of the Government of the Federal Republic of Yugoslavia on the resolution on the rape and abuse of women on the territory of the former Yugoslavia adopted during the 37th session of the Commission on the Status of Women (annex I).

The comments on the conduct of the chairperson during the adoption of the above-mentioned resolution are also attached to this document (annex II).

I should be grateful if you would have the present letter and its annexes circulated as an official document of the General Assembly, under item 112 of the preliminary list, and of the Security Council.

(Signed) Dragomir DJOKIĆ
Ambassador
Chargé d'affaires a.i.

* A/48/50.

ANNEX I

Comments of the Government of the Federal Republic of Yugoslavia on the Resolution on the Rape and Abuse of Women on the Territory of the former Yugoslavia adopted during the Thirty-Seventh Session of the Commission on the Status of Women

The Government of the Federal Republic of Yugoslavia has repeatedly and very resolutely stated its position with regard to the horrible acts of violence committed on the territory of former Yugoslavia.

The Government of the Federal Republic of Yugoslavia is of the opinion that the crimes of abuse and rape of women and children should be most strongly condemned and that those responsible for them, whoever they are and wherever they have occurred should be punished. The abuse of women in war zones, whether undertaken within the strategy of "ethnic cleansing" or for other purposes, is an utterly inhuman act and a crime which is not only contrary to international humanitarian law but also to the basic precepts of morale, honesty and dignity.

The Special Rapporteur of the Commission on Human Rights, Mr. T.Mazowiecki, states in his fourth report (para.86) that it is not possible at present to determine the number of victims of rape in this conflict. The fact is that the victims are Muslim, Serbian and Croatian women. For this reason it is hard to understand why the international public speaks only of the victims on the Muslim side ignoring that similar acts were committed against Serbs and other ethnic groups. This fact has been also ignored in the Resolution adopted by the Commission on the status of Women.

This ushers in the principle of discrimination against the victims of war which undermines the whole system of human rights, particularly the provisions of the Convention on the Elimination of All Forms of Racial Discrimination.

There is sufficient evidence on an organized and systematic pattern of rape of Serb women in areas under Croatian and Moslem control (brothels in Slavonski Brod, Sarajevo, Tuzla, Bihac, Zenica, Konjić, Bugojno, etc.) as well in non-combat areas such as Western Herzegovina (Dretelj and Celebici detention camps where women have been subjected to unspeakable torture). A large number of women who have fled to Federal Republic of Yugoslavia provided testimonies on the ordeals and rape they were subjected to at the hands of the Moslem and Croatian authorities and forces in Bosnia and Herzegovina, in prisons, camps, hotels, schools, restaurants, flats turned into private prisons, sports centers, and other scenes of crime. Many women did not survive mass rape and torture (see official General Assembly and Security Council documents which contain testimonies of the victims of rape:A/47/813-S/24991,A/48/68-S/25146,A/48/75-S/25217,A/48/77-25231).

Neither the UNHCR not the ICRC have information on places of detention or camps for Moslem women.

The Government of the Federal Republic of Yugoslavia understands the latter part of para 2 of the Resolution to mean the ethnic cleansing undertaken by Croatian authorities against Serb population, since it is well known that Croatia carried out ethnic cleansing of 250,000 Serbs from Western Slavonia and from all the bigger cities in Croatia and the Croatian regular forces are directly engaged in combat in the civil war in Bosnia and Herzegovina against both Serbs and Moslems.

The Government of the Federal Republic of Yugoslavia considers that there is an unequal treatment of all victims of rape in the Resolution adopted by the Commission on the Status of Women which makes it unbalanced and introduces political elements at this crucial period for the termination of the war and negotiations on the peaceful settlement of the conflict in Bosnia and Herzegovina.

For all above-mentioned reasons, particularly preambular para 3 and operative para 2, this Resolution is unacceptable to the Government of the Federal Republic of Yugoslavia.

ANNEX II

Comments on the conduct of the Chairperson during the adoption of the Resolution on the Rape and Abuse of Women on the Territory of the former Yugoslavia in the Commission of the Status on Women

The Federal Republic of Yugoslavia wishes to put on record of the thirty - seventh session of the Commission on the Status of Women its strongest objection to the manner in which Mrs. Merwat Tallawi of Egypt conducted the meeting during the adoption of the resolution on the rape and abuse of women on the territory of the former Yugoslavia. One would have thought that the elementary principles of fairness demand that when the Commission is about to take a decision which is of direct concern to a State, that State should at least be afforded the opportunity to express its views on the issue. Mrs. Tallawy deliberately denied that right to the delegation of the Federal Republic of Yugoslavia. She misused her position as Chairperson of the Commission in an extremely partial way thus vulgarizing the seriousness and importance of the honor to chair the UN meeting entrusted to her. She added to the impression that right of women and the condemnation of abhorrent practice of rape in the civil war in Bosnia and Herzegovina is not the primary interest of the Commission, nor it is its purpose to establish the truth in an objective and impartial manner. It is regrettable that the Commission on the Status of Women allowed to be manipulated for purely political reasons thus joining in the policy of double standards used against the Federal Republic of Yugoslavia.